

### **Comments Received on Agritourism Study - June Working Draft**

- Add language regarding the dwelling units per acre permitted prior to and following the establishment of the Ag reserve, the TDR program and the downturn in commodity prices to establish the need for agritourism. Ag Tourism and its future development is a way for farms to diversify and have a more balance approach to their farming operations.
- Clarify that the Zoning Text Amendment Number 18-03 (ZTA No. 18-03) concerning Farm Alcohol Production Standards was initiated separate from – but concurrent with – the work of the Agritourism Study. ZTA No. 18-03 was a precursor to the Agritourism Study.
- Confirm the number of existing farms, including the number of horse farms / facilities and horticultural operations. With horse farms, horse operations and horticultural operations, the number of “farms” exceeds 500.
- Validate the existing conditions narrative based on data collection and analysis. While farming has changed since 1980, it is not necessarily accurate that specialty farming has increased.
- In the existing conditions narrative, reference the growing number of horse operations, many of which have sprung up on what used to be dairy, cattle and crop operations. Horse operations, especially lessons and rentals, competitions and summer camps are bit contributors to the ag-tourism industry because they draw individuals from outside the ag and rural zones (and sometimes even from outside the state) to participate.
- Revise the study purpose and need to state that the study seeks to develop a comprehensive approach to agricultural tourism and remove the reference to land use and zoning strategies. In addition, remove “the integrity of the” from the last sentence.
- Clarify the role of the consultant’s comparative analysis and code assessment in the overall study.

### **Comments on the Final Comparative Review of Agritourism Policies**

- The Project Scope and Purpose should reference the four plans that are guiding the Agricultural Reserve’s policies, development, and planning should be clearly noted. Without them there is no context for the committee, study, or resulting product.
- The jurisdictions studies that will be the most helpful for the Agritourism Study are Albemarle County, Rockingham County, Suffolk County and Frederick County. The least useful will be Loudoun County, San Diego and Sonoma County.
  - Albemarle County: Nexus to ag is good and roads and traffic is good.
  - Rockingham County: Overall, a good comparable to consider.
  - Suffolk County: Nexus to ag is good.
  - Frederick County:
    - Nexus to ag section is good and lessons learned section can be used to inform our process.
  - Loudoun County: Provide a good selection of “what not to do’s”.
  - San Diego County:
    - While the concerns are valid, the resulting governance seems very restrictive. Thus, it is not able to nimbly adapt to changes or growth.
    - The non-profit aspect does not align well with our intents.
    - Item 2 in Lessons Learned should be a consideration for our proposal. (Item 2 refers to the suggestion that it may be appropriate to temporarily waive some elements of the tiered winery ordinance to allow vintners to response to issues of whether and climate.)

- Sonoma County:
  - The nexus to ag is way too general and the lessons learned section bears consideration in our process.
- Howard County: As with Frederick, its proximity to Montgomery makes it informative.
- Clackamas County: Nexus to ag shows a use of percentage linking to agricultural. Interesting approach, worth a look.
- In looking at Frederick and Howard, we would be well served to consider who their target audiences are and what demographics they actually serve as we develop visitor and marketing strategies. Identifying saturated and under-served markets can guide what tourism products we develop.
- Traffic is cited as a major issue in nearly all jurisdictions. A traffic survey and a plan going in would be beneficial.
- There were no instances in the study which mentioned any central parking hubs with small buses running regular routes between parking and attractions. Wondering why, have they been tried and didn't work? Is there no demand? Does any area have a plan for introducing such a system?
- What are Albemarle County, VA, "requirements that farm wineries, breweries and distilleries must meet in order to host weddings?"

### **General Comments to Guide Menu of Potential Solutions**

- Regenerative agriculture (farming and grazing practices that restore biodiversity, reduce polluting runoff to help reverse climate change by rebuilding soil organic matter, while producing a profit for the farmer) is emerging in the Agricultural Reserve. The Reserve is being looked to as a means to address climate change--by building larger-scale solar facilities. This is not legal and there is no indication that County government would make changes to allow that to occur in the Reserve--but that does not deter those who continue to exert that pressure. Some believe that the role of the Ag Reserve to help address climate change lies in producing more food, in a manner that builds carbon retention in the soil, as well as improving water infiltration so that we can better handle weather extremes, e.g, monsoons interspersed with droughts.
- Everyone agrees that agritourism refers to activities that take place on the farm, and are available to the paying public, but that are not commercial farming per se. What we can't seem to agree on is (1) whether or not those non-farming activities should still be "agricultural in nature", to some degree to qualify as agritourism, (2) who is permitted to carry out and profit from agritourism, (3) to what degree should tourism of any type be permitted to displace farming on tracts of land zoned for agricultural use and (4) how to define "primary" vs. other uses.
- There must be limits to the for-profit activities that are related to, but are not farming per se so that highlight profitable, non-farm activities won't turn the AR into just another trail of theme parks and alcohol purveyors.
- My biggest concern is that the zoning and easement programs that make AR land desirable and affordable will attract folks who will buy large tracts of land in the AR for the express purpose of setting up non-agricultural businesses, without any intent to farm that land themselves. The permitting process must protect the AR from this unintended consequence.
- A farm owner who is not farming has no standing to use part of the farm for uses that are accessory to farming or be eligible to be permitted for uses "not exclusively agricultural in nature" because they are not farming.

- “Events”, as opposed to the more “spread out” nature of agriculture-related commerce, cause congestion that is detrimental to those who live and work in the AR. And this congestion also impedes the movement of farm equipment and other vehicles servicing farms.
- Develop a list of the DPS permits (including Special Benefit Performance Permits) granted over the last 3 years for activities in the Ag Reserve, along with the zoning code section, provision, use standard or policy guideline used to allow the permit to be approved. This information could allow stakeholders to discuss the process, including the possibility of a Zoning Text Amendment, that would clearly spell out the criteria used for permitting activities in the AR that are not exclusively agricultural in nature.
- Farmers who produce a primary product in sufficient quantity to justify a secondary processing facility and/or a facility for direct marketing, should be permitted to do so. Conversely, a farmer who wants to process and market agricultural products that are imported, rather than producing the majority of the inputs on the property, should NOT be permitted to do so because:
  - Such an activity is not accessory to the farm operation on which it is located;
  - Such an activity could unfairly compete with farmers who grow or raise the products they process (because of cheaper imports), thereby encouraging farmers to reduce their farming activities and increase their effort in the “side” business;
  - If the processing and marketing of imported inputs is more profitable than the farming side of the business, a good businessperson would expand the processing/marketing side of the business and do less farming per se; and
  - The proliferation of commercial businesses not dependent on inputs produced on their own farm will over-commercialize the AR and erode the rural countryside environment that created its appeal in the first place.
  - The guiding principle that should be put into place is that the amount of processing and marketing of agricultural products that takes place in the AR should be determined by the amount of primary product that can be produced in the AR. Such an approach would encourage primary production of crops other than low-profit commodity crops and give those producers the opportunity to process and market their products on a level playing field.
- Weather and other variables affect yields and so some flexibility must be built into the system. There should be some “forgiveness” accommodation for catastrophic crop years.
- The non-product side of agritourism, accessory agricultural education and tourism activities conducted as part of a farm’s regular operations, also needs to have a clearly-defined connection to a working farm.
- There should be carefully worded regulations that require the nexus to agriculture be clear and strong with an agricultural education component that will be obvious to anyone, including professional educators. We must make sure we can reject “agricultural” roller coasters, water slides and other forms of entertainment that don’t contribute to our local agriculture or agricultural education.
- It’s essential that agritourism truly be accessory to agriculture. It should support and be tied to the type of farming occurring at that farm. The Clackamas County description that agritourism must be “incidental and subordinate to agriculture” is pretty interesting. Do they define that? Would that be workable here?
- DPS should have more specific rules to follow. Recipes for Success are fine to amplify understanding, but a clear, transparent set of rules would go a long way to making the application process more efficient and predictable for applicants.

- There are concerns with ZTA 18-03--alcohol production--and how it might play out if it were expanded. Why shouldn't a flower farm that can produce flowers for bouquets also be allowed to host weddings? Why shouldn't a farm that produces table crops be able to host events that make use of much of what's produced on the farm? Some of them are just as much in need of a chance to use a model that brings clients out to them as a winery, etc. Is there any way to analyze the cumulative impacts, were other non-alcohol producing farms allowed those opportunities?
- Regarding cumulative impacts; is it possible to have a "step back and re-examine" clause? Some ASAC members have suggested that letting the market play out will take care of problems—but the costs and damage of that technique will be too high. Would be useful to have some kind of lever that says, after a certain set amount of time, that it's now time to examine what's occurred and whether the system is working for farmers, residents of the Ag Reserve and residents of the County as a whole.
- There have been concerns expressed about the cost and limitations of porta-potties at farms hosting weddings and agritourism events. While understanding that these facilities do have a problem, it's important that any solutions allowed not have any secondary unintended ramifications—like somehow upending the septic requirements for building in the Ag Reserve.
- While opportunities for increasing profits for farmers by offering agritourism are important to help some farms survive, it's vital to remember that it's not the only tool in the toolbox—it's just the one we have in front of us. For example, a carbon credits program, where farmers are paid to increase the amount of carbon they sequester in the ground, were it ever offered, would be a great way for farmers to increase their profit.
- Other tools include:
  - Increasing promotion of Ag Reserve products, so that farms might sell more—or get better prices. 6 years ago, the keynote speaker at the Farming at Metro's Edge conference compared Montgomery County to Marin County, CA. The two share some characteristics--but he told us that Californians showed greater willingness to pay more for farm products that were grown or "made in Marin."
  - Improved maintenance of rustic roads—whether that means more money to maintain or better management, or a combination—to alleviate farmers' concerns of equipment damage, while maintaining the historic and cultural significance of the road.
  - Improved enforcement of what isn't allowed. Violations of use of agricultural land occur—e.g., Muldoon's soccer fields on AR land near Poolesville—which surely does little to encourage other farms to comply with the law.
  - An agricultural education component to all agritourism. Although the definition of education should be flexible, all agritourism operations should be required to educate.
- There appears to be a lack of understanding of the important historic and cultural significance of the Ag Reserve. As concerns seem to be practical—a desire not to have it get in the way of their earning a living—is there some way to better tie those cultural resources to success for the farmers? So that it has a beneficial dollar value. It certainly does play into agritourism; folks who come out to the reserve to appreciate those aspects probably also spend money at local farms. Maybe it just needs to be somehow made clearer.
- A reoccurring issue in the ag reserve is the availability of bathrooms for the general public. Our group has discussed this with no viable solution. Regulations from well and septic make public bathrooms, for large groups, on conventional deep trench or sand mound systems, all but impossible. The fall back option is Portable toilets.

- I would like to see our group explore the use of holding tanks as an alternative to Porta potty's. They basically would function the same way as a porta potty but would provide a greatly improved environment and level of comfort to the public.
- I know that state regulations may be a problem but there are examples of holding tanks in use in the ag reserve, I believe that Comus inn is among them. Lack of acceptable bathroom facilities is a major impediment to ag tourism, holding tanks are a viable solution.